

## REMARKS

In the Official Action mailed on **1 June 2005**, the Examiner reviewed claims 1-3, 5-10, 12-17, and 19-21. Claims 15-17 and 19-21 were rejected under 35 U.S.C. §101 because they are directed to non-statutory subject matter. Claims 1, 6-8, 13-15, and 20-21 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Summer, Jr. et al (US 4,414,624, hereinafter "Summer") in view of Bayeh (USPN 6,223,202, hereinafter "Bayeh"). Claims 2, 9, and 16 were rejected 35 U.S.C. §103(a) as being unpatentable over Summer in view of Bayeh, and further in view of Cutler et al. (USPN 5,752,031 hereinafter "Cutler"). Claims 3, 5, 10, 12, 17, and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Summer in view of Bayeh, and further in view of Applicants' admitted prior art (hereinafter "AAPA").

### Rejections under 35 U.S.C. §101

Claims 15-17 and 19-21 were rejected because they were directed to non-statutory matter.

Applicant has canceled claims 15-17 and 19-21 without prejudice.

### Rejections under 35 U.S.C. §103(a)

Independent claims 1 and 8 were rejected as being unpatentable over Summer in view of Bayeh. Applicant respectfully points out that the combined system of summer and Bayeh teaches using an event timer, which **removes the present event** and starts the next available event (see Summer, col. 14, lines 16-31).

In contrast, the present invention changes the scheduling policy from round-robin to first-in, first-out, which guarantees that the thread will **run to completion without being interrupted** by an event timer mechanism (see paragraph [0022] of the instant application). This is beneficial because it

guarantees that uninterruptible processes will run to completion without interruption. There is nothing within Summer or Bayeh, either separately or in concert, which suggests changing the scheduling policy from round-robin to first-in, first-out, to guarantee that the thread will run to completion without being interrupted by an event timer mechanism.


Accordingly, Applicant has amended independent claims 1 and 8 to clarify that the present invention changes the scheduling policy from round-robin to first-in, first-out, which guarantees that the thread will run to completion without being interrupted by an event timer mechanism. These amendments find support in paragraph [0022] of the instant application.

Hence, Applicant respectfully submits that independent claims 1 and 8 as presently amended are in condition for allowance. Applicant also submits that claims 2-3 and 5-7, which depend upon claim 1, and claims 9-10 and 12-14, which depend upon claim 8, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

**CONCLUSION**

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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